

BARRY E. HINKLE, Bar No. 071223
PATRICIA A. DAVIS, Bar No. 179074
WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501-1091
Telephone 510.337.1001
Fax 510.337.1023

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT McROSKEY and DANIEL HUFF, in) their capacities as Trustees of the FURNITURE) AND INDUSTRIAL CARPENTERS HEALTH) AND WELFARE TRUST FUND,) FURNITURE WORKERS PENSION TRUST) FUND,) Plaintiffs,) v.) VAHDANI CONSTRUCTION CO., INC., A) California Corporation,) Defendant.)	No. C 03-1019 MJJ ORDER GRANTING NOTICE OF DISMISSAL
--	---

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiffs ROBERT McROSKEY and DANIEL HUFF, in their capacities as Trustees of the FURNITURE AND INDUSTRIAL CARPENTERS HEALTH AND WELFARE TRUST FUND, FURNITURE WORKERS PENSION TRUST FUND, voluntarily dismiss the above-captioned action *without prejudice*. Said voluntary dismissal without an order of the Court is appropriate,

1 since none of the Defendants have filed an answer or summary judgment in this matter.

2
3 Dated: October 13, 2005

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

4
5
6 By: /S/
BARRY HINKLE
Attorneys for Plaintiffs

7
8
9 3986/399398

10
11 IT IS SO ORDERED,

12
13 10/23/2005


U.S. DISTRICT JUDGE